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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/587,904 | 06/06/2000 | Junji Sato | MAE232 | 9961 |

23995 7590 07/01/2004

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WASHINGTON, DC 20005

EXAMINER

GIBBS, HEATHER D

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2622

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/587,904

Applicant(s)

SATO, JUNJI

Examiner

Heather D Gibbs

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 10-13 and 20-26 is/are rejected.
- 7) ☒ Claim(s) 5-9 and 14-19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Response to Amendment

1. The amendment filed on 04/08/2004 has been entered and made of record. Claims 25-26 have been added. Currently, claims 1-26 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1- have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1,10,22 are rejected under 35 U.S.C. 102(b) as being anticipated by Kazuo (JP 403039282A).

Kazuo teaches of a facsimile machine, comprising a detection unit detecting transition points in a width direction in image data representing an image of a page having a width greater than a printing width of the facsimile machine; and an adjustment unit coupled to the detection unit, having means for deciding whether the image data will be adjusted on the basis of the detected transition points (Constitution).

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Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-4,11-12,20-21,23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kazuo (JP403039282A) in view of Ogura (US 4,876,609).

Kazuo discloses the facsimile/printer as discussed above.

Kazuo does not disclose expressly wherein the image data are coded data that have not yet been expanded into bit-mapped image data, and the detection unit detects margins of the page image on the basis of the transition points of the coded data.

Ogura discloses wherein the image data are coded data that have not yet been expanded into bit-mapped image data, and the detection unit detects margins of the page image on the basis of the transition points of the coded data (Col 7 Lines 20-48).

Kazuo & Ogura are combinable because they are from the same scope of nature.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to utilize Ogura's invention in that of Kazuo.

The suggestion/motivation for doing so would have been as both systems teach of image processing apparatus that detects and adjust pending on paper width within the machine.

Therefore, it would have been obvious to combine Kazuo with Ogura to obtain the invention as specified in claims above.

Considering claim 3, which is representative of claim 6, Ogura teaches wherein the adjustment unit has means for adjusting the image data by adjusting a printing position of the image data in a horizontal scanning direction (Col 17 Lines 12-25).

Regarding claim 4, Ogura teaches wherein the adjustment unit has means for adjusting the image data by zooming the image data (Col 11 Lines 22-29).

Considering claim 11, Ogura teaches wherein said image data comprise run-length data (Col 7 Lines 25-28).

Considering claim 12, Ogura teaches wherein said step (c) comprises repositioning the image of said page (Col 17 Lines 12-25).

Regarding claim 13, Ogura teaches wherein said step (c) comprises zooming the image of said page (Col 11 Lines 22-29).

Considering claim 20, Ogura teaches wherein the detection unit detects margins of the page image on the basis of the transition points on the image data; and the adjustment unit compares the detected margins of the page image on the basis of the transition points of the image data; and the adjustment unit compares the detected margins of the page image with set printing margins, and makes a decision that the page image will not be reduced in width for printing if the set printing margins are smaller than the detected margins of the page image (Col 7 Lines 49-68; Col 8 Lines 1-24; Col 11 Lines 15-30; Fig 10).

Regarding claims 21 and 24, Ogura teaches wherein the printing margins are set with reference to the width of the detected page image (Col 7 Lines 49-68; Col 8 Lines 1-24; Col 11 Lines 15-30; Fig 10).

Regarding claim 23, Ogura teaches wherein step (p) comprises making a decision that the page image will not be reduced in width for printing if the set printing margins are

smaller than the detected margins of the page image (Col 7 Lines 49-68; Col 8 Lines 1-24; Col 11 Lines 15-30; Fig 10).

Considering claims 25-26, Kazuo teaches wherein the image data is comprised of scanning lines and the detection unit detects leftmost and rightmost transition points in the width direction in the image data by detecting first and last transition points for each of the scanning lines (Constitution).

Allowable Subject Matter

7. Claims 5-9, 14-19 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no

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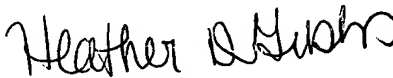
event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather D Gibbs whose telephone number is 703-306-4152. The examiner can normally be reached on M-F 8AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 703-305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

hdg


Heather D Gibbs
Examiner
Art Unit 2622


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